

ORDINANCE NO. 1582

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI  
REPEALING ORDINANCE NO. 1576 AND REENACTING AN AMENDMENT TO THE CONTRACT  
BETWEEN THE CITY COUNCIL OF THE CITY OF LODI AND THE BOARD OF  
ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

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THE CITY COUNCIL OF THE CITY OF LODI DOES ORDAIN AS FOLLOWS:

SECTION 1. That Ordinance 1576 is repealed in its entirety.

SECTION 2. That this ordinance authorizes an amendment to the contract between the City Council of the City of Lodi and the Board of Administration, California Public Employees' Retirement System, a copy of said amendment being attached hereto, marked Exhibit A, and by such reference made a part hereof as though herein set out in full.

SECTION 3. The Mayor of the City of Lodi is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 4. This ordinance shall take effect immediately upon its final adoption, pursuant to Government Code Sections 36937(e) and Government Code Section 20460, providing that such ordinance shall become effective "not less than 20 days after the adoption of the Resolution of Intention". Said Resolution of Intention was adopted May 19, 1993. This ordinance shall be published at least once in the Lodi News Sentinel, a newspaper of general circulation published and circulated in the City of Lodi and shall thenceforth and thereafter be in full force and effect.

Approved this 7th day of July 1993



PHILLIP A. PENNINO

Mayor

Attest:



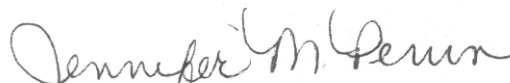
JENNIFER M. PERRIN  
City Clerk

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State of California  
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1582 was introduced at an adjourned regular meeting of the City Council of the City of Lodi held June 23, 1993 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held July 7, 1993 by the following vote:

Ayes :	Council Members - Davenport, Mann, Sieglock, Snider, and Pennino (Mayor)
Noes :	Council Members - None
Absent :	Council Members - None
Abstain:	Council Members - None

I further certify that Ordinance No. 1582 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.



JENNIFER M. PERRIN  
City Clerk

Approved as to Form



BOBBY W. McNATT  
City Attorney

**AMENDMENT TO CONTRACT  
BETWEEN THE  
BOARD OF ADMINISTRATION  
OF THE  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
CITY COUNCIL  
OF THE  
CITY OF LODI**

**EXHIBIT A**

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of above public agency, hereinafter referred to as Public Agency, having entered into a contract effective June 1, 1966, and witnessed April 27, 1966, and as amended effective July 6, 1966, May 1, 1970, July 1, 1973, July 1, 1977 and April 1, 1991. which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 13 are hereby stricken from said contract as executed effective April 1, 1991, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 60 for local miscellaneous members and age 50 for local safety members.
  2. Public Agency shall participate in the Public Employees' Retirement System from and after June 1, 1966 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
  3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
    - a. Local Fire Fighters (herein referred to as local safety members);
    - b. Local Police Officers (herein referred to as local safety members);
    - c. Employees other than local safety members (herein referred to as local miscellaneous members).
  4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:
    - a. **PERSONS COMPENSATED ON AN HOURLY BASIS WHO ARE HIRED JUNE 1, 1966 OR THEREAFTER; AND**
    - b. **ELECTIVE OFFICIALS.**
  5. Assets heretofore accumulated with respect to members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.

6. Benefits paid to pensioners and annuitants under the local system on the effective date of the contract were recalculated, **as** authorized by Section **20520** of the Government Code, to conform with benefits applicable to persons retiring after the effective date of the contract except that no benefit which would have been payable under **the** continuation of the local system shall be reduced.
7. **The** percentage of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section **21251.13** of said Retirement Law, subject to the reduction provided therein for service prior to June **30, 1977**, termination of Social Security, for members whose service has been included in Federal Social Security (**2%** at age **60** Full and Modified).
8. **The** percentage of final compensation **to** be provided for each year of ~~credited~~ prior and current service **as** a local safety member shall be determined in accordance with Section **21252.01** of said Retirement Law (**2%** at age **50** Full).
9. Public Agency elected to be subject to the following optional provisions:
  - a. Section **21361.5** (Local System Service Credit Included in Basic Death Benefit).
  - b. Section **21222.1** (Special **5%** Increase - **1970**). Legislation repealed said Section effective January **1, 1980**.
  - c. Sections **21263** and **21263.1** (Post-Retirement Survivor Allowance) for local miscellaneous members only.
  - d. Sections **21380-21387** (**1959** Survivor Benefits) including Section **21382.4** (**Third** Level of **1959** Survivor Benefits) for local safety members.
  - e. Sections **21380-21387** (**1959** Survivor Benefits) including Section **21382.2** (Increased **1959** Survivor Benefits) and Section **21382.4** (**Third** Level of **1959** Survivor Benefits) for local miscellaneous members.
  - f. Section **21298** (Improved Non-Industrial Disability Allowance) for local miscellaneous members only.
  - g.** Section 20024.2 (One-Year Final Compensation) for local fire ~~members~~ only.
  - h. Section **20818** (~~Two Years~~ Additional Service Credit) for local miscellaneous members and local fire members only.
10. Public Agency, in accordance with Government Code Section **20740**, ceased to be an "employer" for purposes of Section **20759** effective on July **1, 1977**. Accumulated contributions of Public Agency shall be fixed and determined **as** provided in Government Code Section **20759**, and accumulated contributions thereafter shall be held by the Board **as** provided in Government Code Section **20759**.
11. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.

12. Public Agency shall also contribute to said Retirement System **as** follows:

- a. Public Agency shall contribute \$2.50 per employee, per month on account of the liability for the 1959 Survivor Benefits provided under Section **21382.4** of said Retirement Law. (Subject to annual change.) In addition, all ~~assets~~ and liabilities of Public Agency and its employees shall be ~~pooled~~ in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
- b. A reasonable amount, **as** fixed by the Board, payable in one installment within ~~60~~ days of date of contract to cover the **costs** of administering said System **as** it affects the employees of Public Agency, not including the **costs** of special valuations or of the periodic investigation and valuations required by law.
- c. A reasonable amount, **as** fixed by the Board, payable in one installment **as** the occasions arise, to cover **the costs** of special valuations on account of employees of Public Agency, and **costs** of the periodic investigation and valuations required by law.

13. Contributions required of Public Agency and its employees shall be subject ~~to~~ adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System **as** determined by the periodic investigation and valuation required by said Retirement Law.

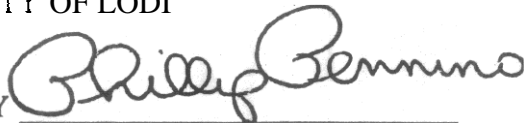
14. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or **as** may be prescribed by Board regulation. If more or ~~less~~ than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the 7th day of July, 1993.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY \_\_\_\_\_  
CHIEF, CONTRACT SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

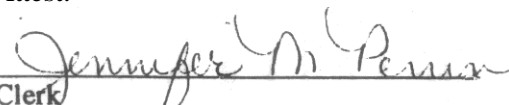
CITY COUNCIL  
OF THE  
CITY OF LODI

BY 

Presiding Officer  
Phillip A. Pennino  
Mayor

July 9, 1997  
Witness Date

Attest:

  
Clerk

Jennifer M. Perrin  
City Clerk